



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Richard J. WHITBOURNE *et al.*

Appln. No. 09/834,307

Confirmation No. 3036

Filed: April 12, 2001

For: TARGETED THERAPEUTIC AGENT  
RELEASE DEVICES AND METHODS OF  
MAKING AND USING THE SAME

Art Unit: 1618

Examiner: M.P. Young

Atty. Docket No. 32286-192724

Customer No.

26694

PATENT TRADEMARK OFFICE

**FIFTH INFORMATION DISCLOSURE STATEMENT**

***Mail Stop: RCE***

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08A. Documents **A1-A43** are all U.S. documents, and copies are not required to be submitted. A copy of each of documents **B1-B4** is provided herewith pursuant to 37 C.F.R. § 1.98(a)(2)(i). Because each of documents **B1-B4** is in the English language, no concise explanation of the relevance of each document is required to be submitted under 37 C.F.R. § 1.98(a)(3)(i). It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies a Request for Continued Examination filed pursuant to 37 C.F.R. § 1.114, which is being filed concurrently. Accordingly, no fee is

believed to be due since this Information Disclosure Statement is filed within the time period set forth in 37 C.F.R. § 1.97(b)(4).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists. In accordance with 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 C.F.R. §§ 1.97 and 1.98, and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0261, under Order No. 32286-192724.

Respectfully submitted,



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MAG:RMF/SJB  
#844512



PTO/SB/08a/b (07-06)

Approved for use through 09/30/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	09/834,307
				Filing Date	April 12, 2001
				First Named Inventor	Richard J. WHITBOURNE
				Art Unit	1618
				Confirmation Number	3036
				Examiner Name	M.P. Young
Sheet	1	of	2	Attorney Docket Number	32286-192724

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> ( if known)				
/M.Y./	A1	5,716,981		02-10-1998	HUNTER <i>et al.</i>	
/M.Y./	A2	6,515,016		02-04-2003	HUNTER	
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.Y./ (12/30/2009)

Examiner Signature	/Micah Paul Young/ (12/30/2009)	Date Considered	12/30/2009
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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	B1	WO 98/23228	06-04-1998	ALZA CORP		
	B2	EP 0950386	10-20-1999	CORDIS CORP		
	B3	EP 1261297	12-04-2002	ADVANCED LASER APPLICATIONS HOLDING SA		
	B4	EP 0850604	07-01-1998	SORIN BIOMEDICA CARDIO, SpA		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

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#844561

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.Y./ (12/30/2009)

Examiner Signature	/Micah Paul Young/ (12/30/2009)	Date Considered	12/30/2009
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